

UNITED STATES PATENT AND TRADEMARK OFFICE

MAILED

MAY 22 2006

U.S. PATENT AND TRADEMARK OFFICE  
BOARD OF PATENT APPEALS  
AND INTERFERENCES

BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

Ex parte MICHAEL J. CURRY, RUDY D. MARTIN,  
DOUGLAS Z. PAN and RICHARD T. SIMONI

Application No. 09/683,995

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received at the Board of Patent Appeals and Interferences on March 30, 2006. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matter requiring attention prior to docketing is identified below:

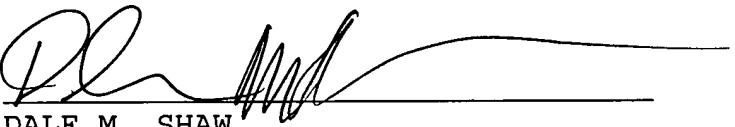
Appellants filed an Information Disclosure Statement (IDS) on August 15, 2002. It is not clear from the record whether the examiner considered the statement submitted or whether the examiner notified appellants of why their submission did not meet the criteria set forth in 37 CFR §§ 1.97 and 1.98.

Application No. 09/683,995

Accordingly, it is

ORDERED that the application is returned to the examiner for consideration of the IDS filed on August 15, 2002, written notification to appellants of consideration, and for such further action as may be appropriate.

BOARD OF PATENT APPEALS  
AND INTERFERENCES

By: 

DALE M. SHAW  
Program and Resource Administrator  
(571) 272-9797

cc: Law Offices of Michael Dryja  
704 228th NE  
PMB 694  
Sammamish, WA 98074

DMS:clm